

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KAMRAN KHODAKHAH,

*Plaintiff,*

-against-

MONTEFIORE MEDICINE ACADEMIC  
HEALTH SYSTEM, INC., et, al.,

*Defendants.*

Case No. 1:24-cv-839 (LAK) (RFT)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law dated November 15, 2024, the Declaration of Sara Luz Estela, dated November 15, 2024, and the exhibits attached thereto, Defendant Gordon Tomaselli will move this Court, before the Honorable Lewis A. Kaplan at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007, at a date and time to be set at the convenience of the Court, for an Order dismissing the First Amended Complaint as against Defendant Tomaselli, pursuant to Federal Rule of Civil Procedure 12(b)(6).

Dated: November 15, 2024  
New York, New York

EMERY CELLI BRINCKERHOFF  
ABADY WARD & MAAZEL LLP

/s

Andrew G. Celli, Jr.  
Debra Greenberger  
Sara Luz Estela

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